

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

KELVIN JONES

§

v.

§

C.A. NO. C-04-109

NFN SHULTZ, ET AL.

§

§

**MEMORANDUM OPINION AND ORDER OF DISMISSAL**

On September 8, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 70). After ample opportunity, no objections have been filed by either party. This Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, plaintiff's claims are dismissed for want of prosecution.

ORDERED this 24 day of October, 2005.

Hayden Head  
HAYDEN HEAD  
CHIEF JUDGE